

# **EXHIBIT 3**

**Subject:** RE: CCRB Protest Cases

**Date:** Wednesday, June 30, 2021 at 12:36:33 PM Eastern Daylight Time

**From:** Weiss, Dara (Law)

**To:** sow-legal@blhny.com, Sierra Team, Andrew Stoll, Payne Litigation Team, AG-NYPDLitigation, wood@klflaw.com

**CC:** Jacobs, Elissa (Law), Goykadosh, Brachah (Law), Robinson, Amy (LAW)

Counsel:

Mr. Kadushin has advised me that he would like to amend his response below as follows:

“CCRB can easily search its database (CTS+) by complainant’s name, officer name, and CCRB complaint number. Any attempt to search by location is a time intensive process and will take resources away from the above-mentioned production. As CCRB (a) objects to the production of open cases, and (b) is producing all closed protest cases, CCRB maintains that its recommended production is the most efficient way to proceed.”

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**From:** Weiss, Dara (Law)

**Sent:** Monday, June 28, 2021 8:24 PM

**To:** sow-legal@blhny.com; sierrateam@moskovitzlaw.com; Andrew Stoll; Payne Litigation Team; AG-NYPDLitigation; wood@klflaw.com

**Cc:** Jacobs, Elissa (Law); Goykadosh, Brachah (Law); Robinson, Amy (LAW)

**Subject:** FW: CCRB Protest Cases

Please see below from Matthew Kadushin, General Counsel of the CCRB, in compliance with Judge Goernstein's directive.

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**From:** Kadushin, Matthew (CCRB) [MKadushin@ccrb.nyc.gov]  
**Sent:** Monday, June 28, 2021 8:14 PM  
**To:** Weiss, Dara (Law)  
**Cc:**  
**Subject:** CCRB Protest Cases

I am the General Counsel of the Civilian Complaint Review Board ("CCRB"). I write in accordance with Magistrate Judge Gorenstein's June 24<sup>th</sup> instructions as related to me by Dara Weiss to provide an update as to when the CRRB will provide certain document to the New York City Law Department ("Law Department").

Last week, the CCRB released a document entitled "CCRB 2020 PROTEST DATA SNAPSHOT," ("Snapshot") attached hereto, which denotes the results of over 750 complaints relating to the behavior of NYPD officers at the Black Lives Matter protests during the summer of 2020. As noted in the CCRB's Snapshot, as of June 21, 2020, there were:

- 75 full investigations;
- 147 open investigations;
- 38 investigations awaiting member of service interviews;
- 49 fully-investigated complaints pending Board Review.

For investigations completed as of June 21, 2021, the CCRB will provide the Law Department with the closing reports by next week. Additionally, the CCRB will begin a rolling production of documents obtained during the course of its investigation and any interviews conducted by the CCRB, within the next ten (10) to fourteen (14) days, and complete such production within the next thirty (30) days. Please be advised that for twelve (12) of these complaints, the CCRB's Board voted Charges and Specifications, and, therefore, these complaints are still open and are currently being prosecuted by the Administration Prosecution Unit ("APU"). For these cases, the CCRB will produce the closing reports and any documents that existed at the time that the CCRB closed its investigation, but will not supplement production until after the prosecution is completed. Finally, the CCRB will provide the Law Department with an updated list of closed cases every thirty (30) to forty-five (45) days, and will repeat the aforementioned production process for newly-closed cases.

The CCRB objects to the production of documents related to open investigations. Once these investigations are completed, we can provide the closing reports and investigative materials to the Law Department. The CCRB does not track cases by the location of the incident, therefore it cannot provide the cross-referenced data requested by plaintiffs.

--Matt

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